

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

SHERRY ERTEL,

Plaintiff,

v.

Case No. 8:19-cv-1003-T-33SPF

COMMISSIONER,
SOCIAL SECURITY ADMINISTRATION,

Defendant.

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ORDER

This matter is before the Court on consideration of United States Magistrate Judge Sean P. Flynn's Report and Recommendation (Doc. # 24), filed on August 7, 2020, recommending that Plaintiff Sherry Ertel's Unopposed Motion for Attorney's Fees be granted.

As of the date of this Order, no objections have been filed and the time for filing objections has lapsed. The Court accepts and adopts the Report and Recommendation, grants Ertel's motion and awards her attorney's fees in the amount of \$920.16 and paralegal fees in the amount of \$510.00, for a total award of \$1,430.16.

Discussion

After conducting a careful and complete review of the findings and recommendations, a district judge may accept,

reject or modify the magistrate judge's report and recommendation. 28 U.S.C. § 636(b)(1); Williams v. Wainwright, 681 F.2d 732 (11th Cir. 1982). In the absence of specific objections, there is no requirement that a district judge review factual findings *de novo*, Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993), and the court may accept, reject or modify, in whole or in part, the findings and recommendation. 28 U.S.C. § 636(b)(1)(C). The district judge reviews legal conclusions *de novo*, even in the absence of an objection. See Cooper-Houston v. S. Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); Castro Bobadilla v. Reno, 826 F. Supp. 1428, 1431-32 (S.D. Fla. 1993), aff'd, 28 F.3d 116 (11th Cir. 1994).

After conducting a careful and complete review of the findings, conclusions and recommendations, and giving *de novo* review to matters of law, the Court accepts the factual findings and legal conclusions of the Magistrate Judge.

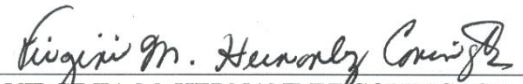
Accordingly, it is now

ORDERED, ADJUDGED, and DECREED:

- (1) The Report and Recommendation (Doc. # 24) is **ACCEPTED** and **ADOPTED**.
- (2) Plaintiff Sherry Ertel's Unopposed Motion for Attorney's Fees (Doc. # 23) is **GRANTED**.

(3) Pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412, Ertel shall be awarded attorney's fees in the amount of \$920.16 and paralegal fees in the amount of \$510.00, for a total award of \$1,430.16, if she is not indebted to the United States Department of the Treasury.

DONE and **ORDERED** in Chambers in Tampa, Florida, this 24th day of August, 2020.


VIRGINIA M. HERNANDEZ COVINGTON
UNITED STATES DISTRICT JUDGE